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ORIGINAL

RECEIVED

1 FENNEMORE CRAIG
 Jay L. Shapiro (No. 014650)
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 3 Suite 2600
 Phoenix, Arizona 85012
 4 Attorneys for Talking Rock Golf Club, LLC

2009 APR 30 P 4:41

AZ CORP COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

7 IN THE MATTER OF THE APPLICATION
 OF ICR WATER USERS ASSOCIATION, AN
 8 ARIZONA CORPORATION, FOR A
 DETERMINATION OF THE CURRENT
 9 FAIR VALUE OF ITS UTILITY PLANT AND
 PROPERTY AND FOR INCREASES IN ITS
 10 RATES AND CHARGES FOR UTILITY
 SERVICE

DOCKET NO: W-02824A-07-0388

NOTICE OF COMPLIANCE

12 Talking Rock Golf Club, LLC ("TRGC") hereby files this Notice of Compliance
 13 pursuant to the request of Chairperson Mayes during the Open Meeting held on April 28,
 14 2009, when the Commission voted to approve the Recommended Opinion and Order as
 15 amended.

16 Attached hereto as Exhibit 1 is a letter from Craig L. Krumwiede, President of
 17 Harvard Investments, to the ICR Water Users Association, regarding the extension of the
 18 completion of construction of the additional storage pond no later than December 31,
 19 2009.

20 DATED this 30th day of April, 2009.

FENNEMORE CRAIG, P.C.

Arizona Corporation Commission

DOCKETED

APR 30 2009

DOCKETED BY

By

Jay L. Shapiro
 Patrick J. Black
 3003 North Central Avenue, Suite 2600
 Phoenix, Arizona 85012
 Attorneys for Talking Rock Golf Club, LLC

1 **ORIGINAL** and thirteen (13) copies of the
2 foregoing were delivered
3 this 30th day of April, 2009, with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 W. Washington St.
7 Phoenix, AZ 85007

8 **COPY** of the foregoing hand delivered
9 this 30th day of April, 2009, to:

10 Chairperson Kristin K. Mayes
11 Arizona Corporation Commission
12 1200 W. Washington Street
13 Phoenix, AZ 85007

14 Commissioner Sandra D. Kennedy
15 Arizona Corporation Commission
16 1200 W. Washington Street
17 Phoenix, AZ 85007

18 Commissioner Paul Newman
19 Arizona Corporation Commission
20 1200 W. Washington Street
21 Phoenix, AZ 85007

22 Commissioner Gary Pierce
23 Arizona Corporation Commission
24 1200 W. Washington Street
25 Phoenix, AZ 85007

26 Commissioner Bob Stump
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

Sarah N. Harpring
Administrative Law Judge
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

1 Kevin Torrey
2 Legal Division
3 Arizona Corporation Commission
4 1200 W. Washington Street
5 Phoenix, AZ 85007

6 **COPY** of the foregoing mailed
7 this 30th day of April, 2009, to:

8 Robert M. Busch
9 ICR Water Users Association, Inc.
10 P.O. Box 5669
11 Chino Valley, AZ 86323

12 Jeff Crockett
13 Robert J. Metli
14 Marcie A. Shuman
15 Snell & Wilmer, LLP
16 One Arizona Center
17 400 East Van Buren Street
18 Phoenix, AZ 85004-2202

19 Dayne Taylor
20 13868 North Grey Bears Trail
21 Prescott, AZ 86305

22 By: *Malinda San Jose*

23 2192126
24
25
26

Exhibit 1



HARVARD INVESTMENTS
A HILL COMPANY

April 21, 2009

VIA E-MAIL and REGULAR MAIL

ICR WATER USERS ASSOCIATION, INC.

Attn: Mr. Hugh Pryor and

Mr. Robert M. Busch

P.O. Box 5669

Chino Valley, AZ 86323

Docket No. W-02824A-07-0388

RE: *Amended and Restated Water Service Agreement*
Dated December 3, 2008 (the "WSA")

Dear Hugh and Bob:

Pursuant to paragraph 10 of the WSA, notice is hereby given to extend the completion of construction of an additional planned storage pond at Talking Rock.

As agreed, the commencement of construction of the storage pond was put on hold pending approval of ICR Water Users Association, Inc.'s ("ICR") application before the Arizona Corporation Commission ("ACC") for a permanent rate increase. As the ACC's Administrative Law Judge just issued its Opinion and Order for approval and the application still needs to be approved by the ACC's Commissioners, the timing to construct the storage pond needs to be re-evaluated. The goal is to begin construction in the winter months due to the low demand for irrigation water. We anticipate that it will be completed by December 31, 2009.

Talking Rock is constantly assessing how to improve its methods to conserve water. The average daily demand for irrigation water at the Golf Course is considerably less due to turf reduction, a state of the art irrigation system and using only 80% of the water that the system recommends as well as other conservation methods. In 2008, ground water delivered was reduced by approximately 22% compared to 2007. Currently, the demand for first quarter of 2009 is approximately 15% less than last year. With the use of effluent, we will continue to see a reduction in demand.

Thank you.

Sincerely,
TALKING ROCK LAND, LLC

Craig L. Krumwiede

c.c. Mr. Jeffrey W. Crockett
Mr. Jay Shapiro